

### REMARKS

The Office Action asserted a restriction requirement, withdrew some claims from consideration and rejected the remaining claims under 35 U.S.C. § 102. Applicants amended claims 1, 12, 22 and 23. Claims 1-31 remain. Applicants request that the Examiner reconsider and withdraw the rejections. An Information Disclosure Statement accompanies this Amendment as a separate paper.

### **Drawings**

The Office Action did not indicate whether the Examiner approved the proposed drawing corrections submitted on 30 January 2003. Assuming the Examiner inadvertently failed to indicate such approval, Applicants will provide Formal Drawings under separate cover. The Formal Drawings include the proposed drawing corrections.

### **Election/Restriction**

The Office Action asserted a restriction requirement between Invention I, claims 1-21 and 24-31, drawn to a brush seal and Invention II, claims 22 and 23, drawn to an apparatus for making a bristle arrangement. The undersigned affirms the provisional election of Invention I during the telephone conversation with the Examiner. Applicants do not wish to traverse the restriction requirement. Rather, Applicants have amended apparatus claims 22 and 23 to depend from method claim 12. By doing so, all the claims are drawn to Invention I. As such, the restriction requirement is now moot. Applicants request that the Examiner reverse the withdrawal of claims 22 and 23 from consideration.

### **Claim Rejections - 35 U.S.C. § 102**

The Office Action rejected claims 1-4 and 7-21 as being anticipated by United States Patent Number 6,536,773 to Datta ("Datta"). Independent claim 1 now recites that the bristle arrangement "comprises essentially of" bristles and a joint securing the bristles together and independent claim 12

now recites the joining step involves "essentially just" the bristles. Datta fails to disclose or to suggest such features. Datta describes bristle packs with additional features - namely a single rail 126 (Figure 6A) or double rails 126a, 126b (Figure 5B). None of the remaining cited references provide a motivation for such a modification. Applicants request that the Examiner reconsider and withdraw the rejection.

The Office Action rejected claims 1-10, 12-20 and 24-31 as being anticipated by United States Patent Number 5,106,104 to Atkinson *et al.* ("Atkinson"). With respect to the rejection of claims 24-31, Applicants believe that the rejection was improper and must be withdrawn. Specifically, Applicants assert that Atkinson fails to disclose or to suggest all of the claimed features. Independent claim 24 recites the step of "joining" the stack of plates and bristle arrangement from multiple stages. Atkinson describes discrete single stage brush seals (60, 70, 80, 90) placed in succession to achieve a desired pressure drop. The discrete brush seals of Atkinson, separated by spacers 69, 79, 89, are never joined. None of the remaining cited references overcome the shortcomings of Atkinson. For at least this reason the rejection was improper and must be withdrawn.

With respect to the rejection of claims 1-10 and 12-20, independent claims 1 and 12 both now recite, *inter alia*, that the claimed bristle arrangement is "for subsequent use in a brush seal." In other words, the bristle arrangement must have all of the claimed features before assembling the brush seal. Atkinson fails to disclose or to suggest such a feature. In fact, Atkinson is silent regarding the build-up of the brush seal. Applicants presume the brush seal is assembled in standard fashion - such as that described in Figure 2 and paragraphs 35-41 of the present application. None of the cited references provide a motivation for such a modification. Applicants request that the Examiner reconsider and withdraw the rejection.

### Conclusion

In light of the foregoing, Applicants submit that the claims are now in condition for allowance. Applicants request that the Examiner reconsider and withdraw the rejections. Applicants solicit the allowance of claims 1-31 at an early date.

Respectfully submitted,



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